

Remarks

In the outstanding Official Action, the Examiner rejected claims 24-26 under 35 USC 102(b) as being anticipated by Cimber. Applicants respectfully traverse the rejection of claims 24-26 under 35 USC 102(b) as being anticipated by Cimber.

Independent claim 24 of the present invention comprises an installation tool for a fastener comprising a shaft, a bar at a proximal end of the shaft extending outwardly from the shaft, and a fin extending outwardly from the shaft proximate a distal end of the shaft, the fin and the bar being in alignment with each other along a side of said shaft, said installation tool comprising an elongated inserter comprising a carrier portion adapted to retain the fastener and having at a distal end thereof a sharpened edge, the carrier portion having an open side from which extend end portions of the bar and the fin.

Applicants believe that Cimber discloses an insertion device for inserting a plug into the uterus. Applicants also believe that the plug includes a blocking plate and a positioning plate. Applicants believe that Cimber does not disclose the installation tool of the present invention comprising a carrier portion adapted to retain a fastener comprising a shaft, a bar at a

proximal end of the shaft extending outwardly from the shaft, and a fin extending outwardly from the shaft proximate a distal end of the shaft. Accordingly, Applicants believe that claim 24 of the present invention is in condition for allowance.

Independent claim 25 of the present invention comprises an installation tool for a fastener comprising a shaft, a bar at a proximal end of the shaft extending outwardly from the shaft, and a fin extending outwardly from the shaft proximate a distal end of the shaft, the fin and the bar being in alignment with each other along a side of the shaft, the installation tool comprising an elongated rigid tube; a carrier portion movable between a first position in the tube and a second position extended from a distal end of the tube, the carrier portion being adapted to retain the fastener and having at a distal end thereof a sharpened edge, the carrier portion having an open side from which extend end portions of the bar and the fin; and control means for moving the carrier portion in the tube between the first and second positions; whereby the installation tool is manipulable to extend the carrier portion and the fastener therein into a body of tissue, and to withdraw the carrier portion from the tissue, whereupon the fin resists withdrawal of

the fastener and the fastener remains in the tissue as the installation tool is withdrawn therefrom.

Applicants believe that Cimber does not disclose the installation tool of the present invention comprising a carrier portion adapted to retain a fastener comprising a shaft, a bar at a proximal end of the shaft extending outwardly from the shaft and a fin extending outwardly from the shaft proximate a distal end of the shaft, and the carrier portion movable between a first position in the tube and a second position extended from a second position extended from a distal end of the tube, the carrier portion being adapted to retain the fastener and having at a distal end thereof a sharpened edge, the carrier portion having an open side from which extend end portions of the bar and the fin.

Accordingly, Applicants believe that independent claim 25 is in condition for allowance, and allowance thereof is respectfully requested.

Claim 26, which depends directly from independent claim 25, is believed to be in condition for allowance at least for the above-identified reasons. Accordingly, allowance of claim 25 is respectfully requested.

In the event that any additional fees may be required in
this matter, please charge the same to Deposit Account
No. 16-0221.

Respectfully submitted,

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